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Trusteeship Council

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Sixtieth session

VERBATIM RECORD OF THE 1700TH MEETING

Held at Headquarters, New York,
on Friday, 14 May 1993, at 10.30 a.m.

President: Mr. RICHARDSON (United Kingdom)

- Adoption of the agenda
- Dissemination of information on the United Nations and the International Trusteeship system in Trust Territories: report of the Secretary-General
- Examination of the annual report of the Administering Authority for the year ended 30 September 1992: Trust Territory of the Pacific Islands
- General debate
- Appointment of the Drafting Committee
- Organization of work

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The meeting was called to order at 10.50 a.m.

The PRESIDENT: Before proceeding to our business, I should first like thank all members of the Council for the very businesslike way in which we moved through our agenda yesterday. I should also like to welcome Mr. Uherbelau to our gathering. I understand he flew here directly from Tokyo, for which he has my sympathy, and I thank him very much for being here.

ADOPTION OF THE AGENDA (T/1970/Add.1 and T/1974) (continued)

The PRESIDENT: I should like to draw members' attention to document T/1970/Add.1, which contains an invitation addressed to the Trusteeship Council from the Administering Authority to observe the forthcoming referendum in Palau, and document T/1974, which contains a letter from the Deputy Permanent Representative of the United States of America to the United Nations.

If there are no comments or objections, I shall take it that the Council wishes to add to its agenda, as agenda item 13, the question of sending a mission to observe the forthcoming plebiscite in Palau.

It was so decided.

DISSEMINATION OF INFORMATION ON THE UNITED NATIONS AND THE INTERNATIONAL TRUSTEESHIP SYSTEM IN TRUST TERRITORIES: REPORT OF THE SECRETARY-GENERAL (TRUSTEESHIP COUNCIL RESOLUTION 36 (III) AND GENERAL ASSEMBLY RESOLUTION 754 (VIII)) (continued)

The PRESIDENT: Members will recall that yesterday, at our 1699th meeting, several members inquired about the impact of information materials that the Department of Public Information (DPI) sends regularly to the Territory of the Pacific Islands, and it was suggested that the secretariat of the Council could be entrusted with the task of ascertaining that the information provided by DPI does reach its addressees in the

(The President)

Territory. I understand that the secretariat of the Trusteeship Council and the Department of Public Information have consulted on the question and that the team servicing the next visiting mission to the Territory will also perform these functions while in the Territory. If I may say so, I think that is a very sensible and satisfactory outcome.

I want to thank Mr. Tlili of DPI so very much for coming along and for giving us the information at our meeting yesterday.

If there are no comments, I shall take it that the Council decides to take note of the report of the Secretary-General contained in document T/1972 and conclude consideration of this agenda item.

It was so decided.

EXAMINATION OF THE ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR THE YEAR ENDED 30 SEPTEMBER 1992: TRUST TERRITORY OF THE PACIFIC ISLANDS (T/1974) (continued)

The PRESIDENT: I wish to draw members' attention again to document T/1974, containing an invitation from the Government of the United States to the Trusteeship Council to send a mission to observe the plebiscite, which is likely to occur on 27 July 1993.

Mr. STAYMAN (United States of America): I should just like to follow up a bit on one of the issues that was raised yesterday. I am pleased to report that after yesterday's meeting, the Palauan delegation and representatives of the Department of the Interior met with officials of the United Nations Development Programme to finalize arrangements for hiring the master planner. It was agreed yesterday that the contract-signing on the Master Plan will occur in Palau in early June, concurrent with the initial organizational meeting. We are very pleased at this commitment to expeditious progress on the Master Plan.

The PRESIDENT: If there are no further questions at this stage for the Administering Authority, we shall now begin the general debate on this item.

GENERAL DEBATE

Mr. EVANS (United Kingdom): The Government of the United Kingdom of Great Britain and Northern Ireland has consistently supported the efforts of the people of the Trust Territory of the Pacific Islands to achieve whatever form of political status meets their wishes and their particular circumstances, and we believe that the Trusteeship Council should give its full support to such efforts.

As the representative of the Administering Authority, Ambassador Walker, noted in his introductory remarks, neither the Security Council nor the United States intended the trusteeship to be an indefinite status, and it is clearly an anachronism in the final decade of the twentieth century. We have therefore heard with interest of the initiatives taken by the Government of Palau since the last meeting of this Council which are aimed at resolving the question of political status.

Vice-President Remengesau has now informed this Council that the plebiscite has been scheduled for 27 July, and the Administering Authority has invited the Council to send a mission to observe it. It is the view of my delegation that the Trusteeship Council should accede to this request. However, I share the concern expressed by my colleague from the delegation of the Russian Federation about the timing of hearings on the lawsuit still outstanding on the referendum. It would be difficult for the Council to dispatch a mission to Palau at the end of July if this issue remained

(Mr. Evans, United Kingdom)

unresolved. In this context, we welcome the assurances of Vice-President Remengesau that it should be possible to resolve it before the scheduled date of the plebiscite.

It has been suggested in some quarters that the Compact of Free Association does not have the support of the people of Palau and that the actions of both the Administering Authority and the Palau Government in seeking now to resolve the question of political status in some way run counter to the principles of democracy. My delegation does not share this view. The Compact of Free Association has been clearly favoured by the majority of Palauans in every plebiscite held to date. Support for it has varied but has never fallen below the respectable figure of 60 per cent. I should also like to point out that the Visiting Mission of this Council to Palau last year concluded that most Palauans were eager to see the question of political status resolved as soon as possible.

Turning now to conditions in Palau, my delegation recalls that at the fifty-ninth session of this Council a great deal of time was devoted to discussion of the impact of Secretary's Order 3142. My delegation said then that we believed the Order was necessary for the Administering Authority to fulfil its obligations to the Territory. At the same time, we shared the hope of the Visiting Mission that the need for the Order, or, at any rate, for its suspension provisions, would be diminished over time.

(Mr. Evans, United Kingdom)

We are therefore pleased to note the statement by Acting Assistant Secretary Stayman to this Council that since the Order came into force budget execution and fiscal management by both national and state Governments in Palau have improved significantly and that by the middle of this year the national Government antitipates the elimination of all previous years' debts. The fact that local revenues have increased from $12.5 million to just over $15 million is also significant. We are pleased too to note that the Administering Authority has reported that it was not necessary to invoke the suspension authority during the 1992 fiscal year.

We are also pleased to hear that the United Nations Development Programme (UNDP) has now awarded the contract for the Palau Master Plan, which will be financed jointly by UNDP and the United States Department of the Interior. We have been concerned at the slow rate of progress on the Master Plan, on which so much depends. We hope that the work leading to the implementation of the Master Plan can be expedited, and in this context I welcome what Acting Assistant Secretary Stayman has just told the Council.

Finally, in respect of Secretarial Order 3142, we have noted with satisfaction the successful prosecution of those responsible for the assassination of the first President of Palau.

The annual report of the Administering Authority is a comprehensive document. We do not have the time here to examine all the areas it covers, but I should like to make a few points on some of those of major interest.

Tourism remains the most important source of income for Palau, and the number of tourists continues to increase; it is up 6 per cent this year over

(Mr. Evans, United Kingdom)

last. The total numbers involved remain small at present, but the Visiting Mission noted that Palau's natural beauty gives it the potential to become a major tourist destination, and the Administering Authority has estimated that the number of tourists may increase by 40 per cent over the next two years. The Government of Palau is clearly alive to the risk of environmental degradation caused by increased tourism and has taken some welcome initiatives through the Palau Visitors Authority in this regard. Further scope for action should derive from the Master Plan, which will include provisions for environmental-impact assessments of economic activity in Palau.

The development of the fishing industry, now Palau's second-largest source of income, has been the subject of much discussion over the years in this Council. The report of the Administering Authority contains much useful detail about the fishing industry, the development of which the Visiting Mission recommended should have high priority. In yesterday's discussion of the report I raised the questions of the sustainability of fish stocks and the enforcement of fishing regulations. I shall not therefore go into those questions in any detail here, but would only note that the Administering Authority and the Palau Government are also concerned about stock sustainability, and that action is under way to rehabilitate the former United States Coast Guard cutter that will be used for fisheries-patrol duties.

Work on infrastructure projects has proceeded satisfactorily. For example, according to the report of the Administering Authority there has been substantial progress on the improvement and extension of dirt roads in Babeldoab and further reductions in the numbers of people subject to "water hours" service by the Palau Water Branch.

(Mr. Evans, United Kingdom)

In the field of health care, the opening of the new Palau hospital, which was funded by the United States Congress, is a crucial development, and one which will make a major contribution to the improvement of the provision of health care to the people of Palau. We note with concern, however, that both the Visiting Mission and the Administering Authority have identified a shortage of qualified health-care personnel, in particular doctors, for which the need is critical.

There are two other issues of detail which I should like to address briefly. The first is land. Progress on the land issue remains slow, but we welcome the grant of $185,000 from the Administering Authority to Palau to expedite the programme of registering all land titles.

The second issue is public-service employment. The report of the Administering Authority notes that the number of civil-service employees has fallen by 47. However, 1,542 - nearly 10 per cent of the total population - remain in civil-service employment. In our view, Palau has not yet got right the balance between private- and public-sector employment.

In conclusion, I should like to underline our commitment to assisting the people of palau to achieve the political status of their choosing as soon as possible. There would appear to be a good chance of success within the next few months. We must not, however, count our chickens before they are hatched. Several representatives present in this Chamber have in recent years made statements which they had hoped would be their last in this Council. I myself made such a statement last year. I am cautiously optimistic, however, that I shall not be required to do so again next year.

Mr. FOUCHER (France) (interpretation from French): My delegation has not yet spoken at this session, Sir, and I should like to begin by congratulating you on your election to the presidency. I feel confident that, under your wise leadership, the Council will promptly complete its work for this session, which, as your predecessor noted, may be the last.

I wish to welcome the delegation of Palau, whose yearly participation makes a very useful contribution to the success of our work.

The Trusteeship Council has begun its sixtieth session in a new context. In recent years three of the four entities within the purview of the Council have chosen a new status in conformity with the will of the peoples. Today, the trusteeship system applies only to Palau. All previous speakers have spoken of the importance of that Territory too putting an end to a situation no longer justified by the economic and political situation and that does not accord with the wishes of the inhabitants.

Last year, indeed, a Visiting Mission to Palau concluded that its present status was no longer commensurate with the political, economic and social maturity the Territory has achieved. Last session, my delegation fully endorsed that finding.

The 1992 report of the Administering Authority only serves to confirm that conclusion. Last year, the Territory again made significant progress. Investments grew significantly. Tourism and, in particular, fisheries continued to develop. There were also significant improvements in education and health care, as reflected by the completion of the hospital at Koror. This all shows how obsolete trusteeship for Palau has become.

It is thus essential that Palau speedily adopt a new status that conforms with the aspirations of its population, so it can continue its economic and social development on a stable institutional basis.

(Mr. Foucher, France)

In that connection, we note that on 4 November 1992 a long-awaited vote was taken; this should make it possible to overcome the institutional obstacles that had blocked change in Palau. We note too that a referendum is to be held in July. My delegation hopes that this will make it possible to achieve a final solution for the Territory.

It is not for the Council, of course, to dictate the future institutions of Palau; that lies within the sole competence of the population of Palau. But I should like none the less to recommend that, should the Compact of Free Association not be adopted, all alternative options should be examined.

As we await the end of the trusteeship for Palau, it is important, of course, that the Administering Authority continue to carry out its obligations. Once again this year my delegation notes with satisfaction the assurances of the United States delegation on this matter.

I wish to conclude by thanking the Secretariat staff whose commitment, effectiveness and ability contributed once again this year to the success of our work.

Mr. DZAKHAEV (Russian Federation) (interpretation from Russian): By the terms of the United Nations Charter, the basic tasks of the trusteeship system are to further international peace and security and to promote the politial, economic, social and educational advancement of the inhabitants of the Trust Territories, and their progressive development towards self-government or independence as may be appopriate to the particular circumstances of each Territory and its peoples and the freely expressed wishes of the peoples concerned.

(Mr. Dzakhaev, Russian Federation)

During this session the members of the Trusteeship Council have had the opportunity, although in a very tight time-frame, to consider in detail the report of the Administering Authority, the United States of America, on the situation in the last Trust Territory of the Pacific Islands, Palau, and also carefully to listen to the statements of the representatives of the United States, of Palau and of the petitioners.

During Council meetings specific questions have been asked in order to obtain as complete and specific information as possible with respect to the political, economic and social situation in Palau, and also on the measures taken by the Administering Authority to carry out its responsibility in accordance with the Trusteeship Agreement.

We feel that all this has promoted the development of a constructive dialogue and an objective and efficient consideration of the items on this session's agenda, and has also helped to form a sufficiently complete picture of the implementation of the tasks under the Trusteeship Agreement.

The materials presented and the discussion which has taken place have shown specific achievements in a number of areas relating to the economic, social and political development of the Territory over the last period and the assistance given this process by the Administering Authority.

We are pleased to note the statement made at the Council's meeting of 13 May by the Acting Deputy Assistant Secretary of State for Internal Affairs of the United States, Mr. Allen Stayman, on the efforts made by the Administering Authority to begin working out as quickly as possible a general development plan for the Territory. In this connection, our delegation is pleased to note Mr. Stayman's statement today on the situation with regard to the speedy conclusion of a contract on the beginning of the practical

(Mr. Dzakhaev, Russian Federation)

implementation of the Master Plan, and also on the allocation by the United States of approximately $45 million to finance economic and social development projects for Palau.

At the same time, a great deal still remains to be done to overcome financial dependence, to develop industry, to create the appropriate infrastructure and capital construction, to increase electrification in the Territory, to establish a social protection system, to protect the originality of the local culture, and so on.

Particular concern at this session was expressed with respect to the problem of illegal fishing by foreign vessels in Palau waters, as well as with respect to the land question and other problems. There is hardly any need to dwell now on these questions in detail, all the more so since delegations have already spoken on them in quite some detail. These questions were raised both during yesterday's Trusteeship Council meeting and in the report of the United Nations Visiting Mission to Palau of March-April 1992. It is quite clear that the obligations of the Administering Authority under the Trusteeship Agreement and the United Nations Charter remain in force until the implementation by the population of Palau of its right to self-determination on the basis of the free manifestation of its will and the relevant Security Council decision.

One of the main problems facing Palau and its people is the question of the future political status of the Territory. In this regard we note the intention of the Palau authorities to cooperate with the Administering Authority and accordingly to hold a referendum on the question of the Compact of Free Association at the end of July, at which the political status of Palau will be determined.

(Mr. Dzakhaev, Russian Federation)

The United Nations can doubtless be of assistance here, in addition to the Administering Authority, in ensuring that the goals of trusteeship be fully carried out with respect to the last Trust Territory so that the people of Palau can exercise their inalienable right to self-determination and free choice, in accordance with the United Nations Charter, the Trusteeship Agreement and the Declaration on decolonization.

In this regard, we note the assurances contained in the letter of the United States Secretary of State, Mr. Christopher, with respect to the implementation of some provisions of the Compact. We also hope that the United Nations Mission's participation in observing the holding of the referendum will contribute significantly to the implementation by the people of this Territory of its right to self-determination.

The assurances made by representatives of the United States to members of the Security Council and in the Trusteeship Council with respect to all of Micronesia, including Palau, to the effect that the United States has no plan to establish military bases on this Territory are important. Consistent implementation of the various aspects of these assurances would promote the general trend towards a lessening of foreign military presence and the development of all-round, comprehensive cooperation in the region.

We wish to express the hope that this session of the Trusteeship Council will mark a turning-point in determining the future political status of the Territory on the basis of the free expression of the will of its people.

Mr. ZHANG Yan (China) (interpretation from Chinese): I am very glad to have the opportunity to speak during the general debate of the sixtieth session of the Trusteeship Council. In the past few days the Council has reviewed the 1992 annual report on Palau - the Trust Territory of the Pacific

(Mr. Zhang Yan, China)

Islands - prepared by the Administering Authority, and listened to the statements of the members of the Council, the representatives of the Administering Authority and Palau, and the petitioners, which have all provided us with first-hand information better to understand the situation in the Trust Territory.

I shall must make a few brief comments on the political status of Palau. Based on both the written and oral presentations of the parties concerned, we can see that over the past year, thanks to the efforts of the people of Palau, progress in varying degrees has been made in the Trust Territory in the political, economic, educational and social fields. At the same time, we have noted that the Trust Territory and the Administering Authority have conducted useful discussions on issues related to the political status and economic and cultural development of Palau. However, there still exist some issues that need to be dealt with urgently. According to the provisions of the United Nations Charter and the Trusteeship Agreement, much work remains to be done by the Administering Authority. We hope that the parties concerned with act in accordance with the United Nations Charter and the Trusteeship Agreement and adopt a practical and reasonable attitude to settle these questions properly through consultations, so as to promote the political, economic and social development of the Trust Territory.

(Mr. Zhang Yan, China)

Promoting world peace and security, enhancing the progress of the inhabitants of Trust Territories in the political, economic, social and educational fields, and helping Trust Territories gradually develop towards autonomy and independence are the main tasks established by the United Nations Charter for the international trusteeship system. Thanks to the protracted and tireless efforts of the international community and the peoples of Trust Territories, a large number of Trust Territories have terminated their trusteeship status and become independent and equal members of the international community. At present, Palau is the only Trust Territory still under the United Nations trusteeship system, and the question of its political future remains to be resolved.

The Chinese Government has all along supported the demands and aspirations of the peoples of Trust Territories to achieve national self-determination and independence. We therefore hold that it is the right of the people of Palau to choose its own political status in line with its national interests and to decide the political future of Palau. In this connection, we believe that the referendum planned for July this year will be a major event in the political life of the people of Palau. We also believe that the Administering Authority should take practical and effective steps to fulfil its commitment to the Trust Territory and to meet the reasonable demands and legitimate aspirations of the people of the Trust Territory so as to create the conditions necessary for the people of Palau to exercise its full rights. We hope that, through the joint endeavours of the international community, the people of Pa au and the parties concerned, Palau will become, as other Trust Territories have done, an independent member of the international community at an early date.

The PRESIDENT: The Council has thus concluded the general debate.

APPOINTMENT OF THE DRAFTING COMMITTEE

The PRESIDENT: As agreed at our prior informal consultations, I should like to suggest that the Council appoint a Drafting Committee whose terms of reference will be to prepare draft recommendations to be included in the forthcoming report of the Trusteeship Council to the Security Council. I should like to propose that the Committee be composed of the representatives of China, France, the Russian Federation and the United Kingdom.

If I hear no comment or objection, it will be so decided.

It was so decided.

ORGANIZATION OF WORK

The PRESIDENT: I wish to inform memebers that at our meeting on Monday, 17 May - which I hope will be our final one - the Council will, as decided in informal consultations, hear closing statements from the representatives of the Administering Authority and of the Trust Territory. The Council will also take a decision on its conclusions and recommendations to the Security Council, which will be contained in the report of the Drafting Committee that has just been established. The Council will also take decisions on the outstanding agenda items 2, 10, 11 and 13.

In connection with agenda item 13, which is the question of sending a mission to observe the forthcoming referendum in Palau, it is my understanding that the Drafting Committee will be preparing a draft resolution for our consideration on Monday.

The meeting rose at 11.25 a.m.

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VERBATIM RECORD OF THE 1701ST MEETING

Held at Headquarters, New York,
on Monday, 17 May 1993, at 10.30 a.m.

President: Mr. RICHARDSON (United Kingdom)

- Report of the Secretary-General on Credentials (continued)

- Examination of the annual report of the Administering Authority for the year ended 30 September 1992: Trust Territory of the Pacific Islands (continued)

- Letter dated 13 May 1993 from the Deputy Permanent Representative of the United States of America to the United Nations addressed to the President of the Trusteeship Council, informing the Council of the intention of the Government of Palau to hold a plebiscite regarding the Compact of Free Association and inviting the Trusteeship Council to consider the dispatch of a mission to observe this plebiscite

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- Report of the Drafting Committee

- Attainment of self-government or independence by the Trust Territories (Trusteeship Council resolution 1369 (XVII) and General Assembly resolution 1413 (XIV)) and the situation in Trust Territories with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolutions 1514 (XV) and 46/23) (continued)

- Cooperation with the Special Committee on the situation with regard to the implementation of the Declaration on the Granting of Independence to Colonial Countries and Peoples (General Assembly resolution 1654 (XVI)) (continued)

- Suspension of the session

The meeting was called to order at 10.45 a.m.

REPORT OF THE SECRETARY-GENERAL ON CREDENTIALS (T/1973) (continued)

The PRESIDENT: Does any member wish to comment on the report of the Secretary-General on credentials for the sixtieth session?

If there are no comments, I shall take it that the Council decides to take note of that report.

It was so decided.

EXAMNINATION OF THE ANNUAL REPORT OF THE ADMINISTERING AUTHORITY FOR THE YEAR ENDED 30 SEPTEMBER 1992: TRUST TERRITORY OF THE PACIFIC ISLANDS (continued)

The PRESIDENT: I shall now call on representatives of the Administering Authority to make closing statements in connection with this item.

Mr. MANSO (United States of America): As we approach the end of this session of the Trusteeship Council, I would like to begin my closing remarks by reaffirming our belief in the capability of Palau to take its place among the nations of the world. The time has come: Palau has demonstrated its competence in the administrative, legislative and judicial functions of self-government. Palau has a sound economy, substantial resources and a significant potential for economic growth.

I would like to direct my closing remarks to some of the important points made by other members of the Council during the general debate on Friday and raised by the two petitioners on Thursday. As in the past, we have welcomed the opportunity to hear from the other members of the Council and from petitioners, and we take their comments very seriously.

(Mr. Manso, United States)

First, let me reiterate in the strongest terms that both the Administering Authority and Palau are committed to the preservation of Palau's environment and culture. The statement of work for the Palau National Master Development Plan specifically provides that consideration be given to meeting those objectives. The Master Plan will guide Palauans towards making decisions today that will protect their heritage and resources for tomorrow. In this regard we are gratified that we were able in the margins of the Council's meetings to meet with the United Nations Development Programme (UNDP) and finalize arrangements for hiring the master planner.

Secondly, we were happy that the members of the Council have recognized that discipline in budgetary and fiscal matters by the Administering Authority and Palau over the past several years has significantly enhanced self-government in Palau. Palau's improved financial condition means that the islands are well positioned to enter into a new political status.

Thirdly, we welcome the decision of the Council to send a mission to observe the plebiscite on Compact approval scheduled for 27 July 1993. We will be happy, if requested, to provide an official escort for that mission. We share the view expressed both by the members of the Council and by the petitioners that the plebiscite should not be held before the pending legal challenge to the November 1992 referendum is exhausted. We were happy to hear from Tommy Remengesau, the Vice-President of Palau, on Thursday last that the case is scheduled to be heard on 27 May, and that any appeal should be decided well before the scheduled plebiscite. We share the Council's understanding that a visiting mission should not be sent to Palau to observe the upcoming

(Mr. Manso, United States)

Compact plebiscite until there has been final adjudication of the now pending legal challenge related to the plebiscite. We also share the view expressed that the United States should await final adjudication of any pending legal challenges before bringing the Compact into effect.

The Compact Implementation Act enacted by the United States Congress in 1989 conditions entry into force of the Compact on Palauan approval through a referendum free from any legal challenge. Only after such litigation is exhausted will the United States notify the Trusteeship Council that the Compact has entered into force and that action to terminate the Trusteeship is appropriate. We are hopeful that we will be in a position to do this at the December meeting of the Council.

(Mr. Manso, United States)

A final point, which was raised by the two petitioners on 13 May, concerns modifying the Compact of Free Association in the light of changes in the world situation. Both the Palauan leadership and the United States Executive Branch have been sensitive to the fact that, given the current budgetary situation in the United States and Palau's decreased strategic importance in the post-cold-war era, it is possible that reopening the Compact before it enters into force could result in changes by Congress to the Compact unfavourable to Palau.

As an alternative to reopening the Compact, the United States has tried to address Palauan concerns through the assurances contained in Secretary of State Christopher's recent letter. President Nakamura, in his message to the Palauan Congress, stated his belief that the Compact, read together with the Guam Accords and Secretary Christopher's assurances, is "fair and equitable". Next, the Palauan Congress and then the Palauan people will decide if free association is the route they want to take to resolve Palau's status. Ultimately, it is for the people of Palau to decide whether the Compact or another relationship, such as independence, best suits the needs of Palau.

We share the sentiment of the French delegation, which said in the general debate on 14 May that the political and economic maturity of Palau has outlived its Trust status. Recent events have filled us with optimism that, after some 46 years, the important work of the Trusteeship Council will finally be concluded with the termination of the last Trusteeship and the emergence of a new member of the community of nations. Until that time, we reaffirm our commitment to fulfil our responsibilities under the United Nations Charter and the Trusteeship Agreement. After that time, we look forward to continuing our friendly, cooperative relations with Palau based on trust and respect.

The PRESIDENT: I call on the Special Representative of Palau to make a closing statement.

Mr. UHERBELAU (Special Representative Adviser): It is my privilege once again to deliver my country's closing statement on behalf of Vice-President Tommy Remengesau. Owing to other official commitments, he had to return home before the end of the session. My remarks will centre around two subjects that have generated considerable discussion during the current session and perhaps need further amplification or updating.

With respect to maritime surveillance and law enforcement, as reported in Mr. Allen Stayman's opening statement, the Administering Authority had approved the Republic's request for $100,000 in technical assistance, to be matched with the same amount from local revenues, for drydocking, repairing and reactivating the decommissioned United States Coast Guard cutter. This vessel was acquired in the latter part of 1990 to be used to patrol Palau waters and protect against poaching. Unfortunately, the boat went out of operation within less than a year owing to mechanical difficulties, the lack of sufficient funds for its maintenance and the high cost of operation. Within a month after taking office in January this year, President Nakamura issued an executive order establishing, among other things, a Division of Marine Law Enforcement to step up efforts in this vitally needed government responsibility.

Additionally, draft comprehensive maritime legislation will be presented to the fourth Olbiil Era Kelulau (OEK) for consideration during its regular session in July. Once enacted into law, this bill will provide sufficient funding to the Palau Maritime Authority with which to recruit marine biologists, tuna fisheries experts and qualified surveillance and enforcement support staff to carry out fishery and maritime duties and functions more

(Mr. Uherbelau, Special Representative Adviser)

effectively. In close cooperation with the Ministry of Justice, and acting in concert with other Forum Fisheries Agency (FFA) member countries, the Authority will be better equipped to conduct supervision, monitoring and coordination of surveillance and maritime law enforcement measures in the protection of the marine resources in the Republic's 200-mile exclusive economic zone.

On the regional scene and by way of following up on information reported to the Council on this subject last year, allow me to report the following developments. Palau, along with 13 out of 16 Pacific island nations that are members of the Forum Fisheries Agency, became signatory to the Niue Treaty on Cooperation in Fisheries Surveillance and Law Enforcement in the South Pacific Region. The House of Delegates approved the Treaty during the first regular session in February this year. However, while the Treaty was under consideration by the OEK Senate, the Administering Authority notified the Palauan leadership in early March of the United States State Department's objection to Palau proceeding to ratify the agreement.

It is incumbent upon me to note that the Administering Authority has since reconsidered its position as of the beginning of this month. Palau is now able to participate in the activities of the Niue surveillance Treaty, provided the Republic consults and coordinates its undertakings with the State Department. While we welcome this relaxation of United States policy, we nevertheless look forward to the change of our political status and, from 1 October 1993 onward, we hope to have a free hand in the conduct of our foreign affairs and in the performance of our international relations.

As a full-fledged member of the Forum Fisheries Agency, the Republic has undertaken certain membership obligations, including a commitment to cooperate

(Mr. Uherbelau, Special Representative Adviser)

in all Pacific regional initiatives in the area of maritime surveillance and law enforcement. The Republic fully and actively participated in the fifth annual consultation on the United States multilateral Treaty on fisheries held in Fiji in April and, together with the rest of the FFA member countries, concluded discussions with the representatives of the Administering Authority for a 10-year extension. The proposed amendments to the fisheries Treaty must be accepted or formally ratified unanimously by the United States and all the 16 Pacific island parties, including Palau, before the end of May in order for the $18 million access fee under the extension to become available after 15 June 1993 to the Pacific island parties.

The House of Delegates also approved the amendments in mid-April during the OEK second regular session. The Senate, on the other hand, adjourned sine die without considering the amendments. This was due to legislative oversight and not for other reasons. The Senators have given their word that they will favourably consider and ratify the United States fisheries Treaty amendments at the upcoming special session of the Olbiil Era Kelulau on 20 May.

Furthermore, the eight Parties to the Nauru Agreement, including Palau, have all signed the Western Pacific Management Arrangement on Purse Seine Fishery. This agreement, as reported last year, establishes quotas on the number of licenses available to purse seine fleets of each of the distant-water-fishing nations actively operating in the fisheries zones of the Federated States of Micronesia, Kiribati, Republic of the Marshall Islands, Nauru, Republic of Palau, Papua New Guinea, the Solomon Islands, and Tuvalu.

(Mr. Uherbelau, Special Representative Adviser)

Renamed the "Palau Arrangement" by the 23rd meeting of the Forum Fisheries Committee, which was held in Palau last week and which I had the privilege to chair, the agreement is a management measure to stop further expansion of purse seine fishing in our subregion of the Pacific Ocean.

Another maritime-surveillance-related initiative worth mentioning is the commencement soon by Palau of bilateral discussions with the Government of Australia for construction of a brand new patrol vessel. Other Pacific island countries, including the Federated States of Micronesia and the Republic of the Marshalls, are proud recipients of modern patrol boats through the Australian Government's Maritime Assistance Programme. Palau seeks similar grant aid to augment its efforts in this field.

A final word on this topic: Palau has agreed to host the Ninth Surveillance Officers Workshop, scheduled for March 1994, under the auspices of the Forum Fisheries Agency in coooperation with the Office of the Attorney General and the members and staff of the Palau Maritime Authority. Our surveillance and marine-law enforcement staff are anxiously looking forward to this in-country training to upgrade their skills and efficiency.

I hope that the foregoing serves to reassure the delegation of the Russian Federation and your own United Kingdom delegation, Mr. President, that the Administering Authority and Palau Government authorities, working in close cooperation with the Pacific island neighbours, are indeed taking appropriate management measures to ensure sustainability of fish stocks, especially tuna resources, as well as to protect and prevent marine resources from being over-exploited or indiscriminately harvested by distant water fishing nations.

(Mr. Uherbelau, Special Representative Adviser)

I turn now to the subject of Palau's future political status.

In his opening statement, Vice-President Remengesau advised the Trusteeship Council of the significant Assurances relating to implementation of the Compact of Free Association signed by and received from United States Secretary of State Warren Christopher. President Nakamura forwarded the Assurances immediately to the leadership of the Olbiil Era Kelulau, to all 16 state governors, to the traditional leaders, and to his cabinet ministers.

On 12 May, President Nakamura submitted to Senate President Sugiyama and House Speaker Whipps a report on the history of Palau's status negotiations to date and his analysis of Secretary Christopher's Assurances. In the same message, the President also called the Fourth Olbiil Era Kelulau to convence in a special session on 20 May to consider a draft resolution on the eighth Compact plebiscite and a legislative proposal on Compact implementation and, as mentioned earlier, for Senate approval of the United States Fisheries Treaty amendments.

Allow me to indicate to the Council what the draft resolution and the proposed bill aim to accomplish.

Public Law No. 3-67, which authorized the constitutional amendment referendum last year, set two conditions that must be met before the National Congress can by resolution designate a date for the eighth plebiscite on the Compact. They are: first, certification of the passage of the constitutional amendment by a simple majority of the popular vote and by no less than a three-fourths favourable vote of the 16 state governments; and, secondly, receipt from the United States of a favourable response to the proposed modifications of the Compact.

(Mr. Uherbelau, Special Representative Adviser

The Palau Election Commission on 14 November 1992 officially certified the passage of the constitutional amendment. However, a lawsuit challenging the validity of such approval in Civil Action case 285-92 was filed and is currently pending on appeal before the Palau Supreme Court. As mentioned earlier, the case is scheduled to be heard on 27 May and will be disposed of by the end of this month. Final adjudication of the case removes the only legal impediment to meeting the first condition. We are confident that the court will rule in favour of certification.

Receipt of Secretary Christopher's Assurances constitutes fulfilment of the second condition precedent to the holding of the eighth Compact plebiscite.

With both contingencies now having been met, President Nakamura is taking the initiative in urging the Palau National Congress to adopt the draft joint resolution setting Tuesday, 27 July 1993, as the date for the eighth plebiscite on the Compact of Free Association.

The proposed Compact Implementation Act of 1993, which President Nakamura has introduced for legislative consideration will, if enacted into law: first, appropriate the sum of $200,000, as authorized by Public Law 3-67, for the purpose of defraying the costs and expenses of the eighth Compact plebiscite; secondly, mandate the Palau Election Commission to certify the results of the plebiscite within 10 days of the vote; thirdly, set a 45-day period from the date of the certification by the Election Commission as the time within which legal challenges to the establishment, administration or results of the plebiscite must be filed; fourthly, establish, contingent upon Compact approval and within 10 days of certification of such approval, a five-member transition commission charged with ensuring that all requisite steps or actions required for Compact implementation are fulfilled; and,

(Mr. Uherbelau, Special Representative Adviser

fifthly, require President Nakamura to use his best efforts to ensure that the approved Compact of Free Association enters into force on 1 October 1993, or such later date as may be agreed upon with the Government of the United States of America in accordance with section 411 of the Compact.

The Republic of Palau and its people are well on their way to ratifying the Compact of Free Association finally and conclusively by a simple majority vote. They are at the threshold of a new form of political relationship with their soon-to-be former mentor, the United States of America. The end of the prolonged trusteeship status is lurking over the horizon and signaling the beginning of a new era for Palau. It behoves the Council, therefore, to dispatch yet another observer mission - as it has done on similar occasions in the past - to witness the 27 July 1993 balloting and to attest to the Palaun voting public's exercise of the inalienable right to self-determination.

(Mr. Uherbelau, Special Representative Adviser)

By this time next year, if not sooner, the representatives of "our strong ally and good friend", to use Vice-President Remengesau's words, together with officials of the Republic of Palau, will make their final appearance before the Council to celebrate the process of ending trusteeship. Some time thereafter Palau will solicit the unanimous support of the Chinese, French, Russian Federation, United Kingdom and United States delegations for the Security Council formally to terminate for all time the Trusteeship Agreement for the strategic Trust Territory of the Pacific Islands, which for the past seven years has consisted only of Palau.

And when the Republic of Palau has got its act together, and when the time is right, we shall revisit the hallowed halls of the United Nations, only this time we shall be applying for membership of the United Nations and, with Members' blessing, will take our rightful place in the world community of nations.

On behalf of President Nakamura, Vice-President Remengesau, the leadership of the Olbiil Era Kelulau, the traditional chiefs and the elders and the youth of the tiny island Republic of Palau, I thank all the Council members, both past and present, and their hard-working staff for their diligence, patience and perseverance in having presided over the affairs of the United Nations international Trusteeship system for over half a century. We, the inhabitants of the last of the original 11 Trust Territories the world over, have learned from the Council's example to be diligent, to be patient and to persevere in our agonizing search for a suitable political destiny for ourselves and future generations.

(Mr. Uherbelau, Special Representative Adviser)

It is only fitting, therefore, that the resolution of the Republic of Palau's political future and the restoration of the Palauan people's sovereignty are now both occurring in the Year of Our Lord 1993, the International Year of the World's Indigenous People.

Thank you, goodbye, and may God bless us all.

The PRESIDENT: Thank you very much, Mr. Uherbelau. On behalf of the Council, I wish to thank you for a very clear and comprehensive statement about two of the issues that have concerned and occupied Trusteeship Council members over the past few years. I also thank you for your kind remarks about the Trusteeship Council's efforts over the past several years.

Perhaps I may take this opportunity, since the question occasionally arises, to reaffirm that it is for Palauan voters, and only for Palauan voters, to decide on their future status; it is not for the Trusteeship Council, we believe, to be interventionist in this matter or to seek to prescribe a particular form of self-determination for the people of Palau. Our sole concern, expressed over the past two or three years, has been that we believe the time is now ripe to bring the matter to a successful conclusion. I am very grateful, Mr. Uherbelau, for your comments and for those of the Administering Authority in that regard.

I should also like, through you, Mr. Uherbelau, to thank all the representatives of Palau who attended these meetings, to wish you a safe trip home and in particular to extend our thanks to the Vice-President, Mr. Remengesau, for being able to attend our first few meetings.

LETTER DATED 13 MAY 1993 FROM THE DEPUTY PERMANENT REPRESENTATIVE OF THE UNITED STATES OF AMERICA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE TRUSTEESHIP COUNCIL (T/1974), INFORMING THE COUNCIL OF THE INTENTION OF THE GOVERNMENT OF PALAU TO HOLD A PLEBISCITE REGARDING THE COMPACT OF FREE ASSOCIATION AND INVITING THE TRUSTEESHIP COUNCIL TO CONSIDER THE DISPATCH OF A MISSION TO OBSERVE THIS PLEBISCITE (T/1974, T/L.1286 and T/L.1287)

The PRESIDENT: In this connection, I wish to draw members' attention not only to document T/1974, but to the draft resolution on the item, contained in document T/L.1286, and the document (T/1287) on its financial implications.

As there are no comments on document T/1974, containing the invitation extended to the Trusteeship Council by the Administering Authority, we shall now take up draft resolution T/L.1286 concerning the dispatch of a visiting mission to Palau to observe the forthcoming plebiscite in Palau. The draft resolution is sponsored by China, France, the Russian Federation and the United Kingdom. In this connection, I again draw the attention of members to document T/L.1287, relating to the financial implications of the draft resolution. The draft resolution was prepared according to the format of previous resolutions adopted by the Council on the dispatch of visiting missions.

I now call on the representative of France to introduce the draft resolution.

Mr. FOUCHER (France) (interpretation from French): The drafting committee set up by the Trusteeship Council at its 1700th meeting on 14 May considered the draft resolution in document T/L.1286 at a meeting in which China, the Russian Federation, France and the United Kingdom took part.

By the draft resolution the Trusteeship Council will decide to send to Palau a visiting mission charged with observing the plebiscite to take place in the Territory on 27 July. The Visiting Mission will have the task of observing the plebiscite, and specifically the polling arrangements, the

(Mr. Foucher, France)

casting of votes, the closure of voting, the counting of ballots and the declaration of results. It will be composed of four members of the Trusteeship Council - China, France, the Russian Federation and the United Kingdom - and two representatives of countries of the region that are not members of the Council.

I ask that the draft resolution, which had the support of all the members of the drafting committee, be adopted by the Trusteeship Council.

The PRESIDENT: It is my understanding that members of the Council are in agreement to waive rule 57 of our rules of procedure, which specifies that reports and draft resolutions should be circulated to members 24 hours in advance of the meeting at which they are to be considered.

It was so decided.

The PRESIDENT: May I take it that the Council is prepared to adopt the draft resolution without a vote?

The draft resolution was adopted.

The PRESIDENT: Members will note that, by the resolution just adopted, the Council decided, inter alia, that the composition of the Visiting Mission, including two representatives of countries of the region, should be determined through further consultations.

If there are no comments, we will continue our informal consultations on that issue.

(The President)

Following past practice, I suggest that the Council decide that the names of the persons to be submitted by the Governments concerned will automatically be approved when received.

May I take it that members agree to this suggestion?

It was so decided.

The PRESIDENT: Furthermore, I propose that the Council take note of the statement made by the representative of the United States that the Administering Authority, in accordance with established practice, would provide escort officers to the Mission.

It was so decided.

The PRESIDENT: Finally, on this point, and to take up some comments which have been expressed by a number of delegations, it is my understanding, following informal consultations, that the visiting mission to Palau to observe the forthcoming plebiscite will be dispatched on the understanding that the pending legal challenge relating to the plebiscite has been adjudicated definitively beforehand.

It was so decided.

REPORT OF THE DRAFTING COMMITTEE

The PRESIDENT: The Council will now consider the report of the Drafting Committee on conditions in the Trust Territory of the Pacific Islands, which has been circulated in document T/L.1285.

I call on the representative of France to introduce the draft report.

The FOUCHER (France) (interpretation from French): The Drafting Committee created by the Trusteeship Council at its 1700th meeting has also considered the annual report of the Administering Authority and the statements made to the Trusteeship Council by the representatives of Palau, the Administering Authority and the members of the Council.

The conclusions and recommendations of the Council are to be found in document T/L.1285, which has just been distributed. These have been supported by all members of the Council, and I would propose that they be adopted.

Finally, I should like to express the gratitude of my delegation to the members of the Council for the excellent cooperation they have shown during the drafting of these conclusions and recommendations, as well as to the Administering Authority for helping us in clarifying certain points in detail.

The PRESIDENT: If there are no further comments on the report of the Drafting Committee, it is my understanding that the members of the Council are prepared to waive rule 57 of the rules of procedure of the Trusteeship

(The President)

Council which, as I mentioned earlier, specifies that the reports and draft resolutions should be circulated to the members 24 hours in advance of the meeting at which they are to be considered.

If I hear no objection, it will be so decided.

It was so decided.

The PRESIDENT: If there are no comments, may I take it that the Council decides to adopt the draft conclusions and recommendations without a vote?

The draft conclusions and recommendations were adopted.

The PRESIDENT: The draft conclusions and recommendations we have just approved will constitute Part II of the Council's report to the Security Council. The first part of the report will contain an overview, a summary of our deliberations, in accordance with customary practice.

If there are no further comments, the Council has thus concluded its consideration of its conclusions and recommendations.

ATTAINMENT OF SELF-GOVERNMENT OR INDEPENDENCE BY THE TRUST TERRITORIES (TRUSTEESHIP COUNCIL RESOLUTION 1369 (XVII) AND GENERAL ASSEMBLY RESOLUTION 1413 (XIV) AND THE SITUATION IN TRUST TERRITORIES WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (GENERAL ASSEMBLY RESOLUTIONS 1514 (XV) AND 46/23) (continued)

COOPERATION WITH THE SPECIAL COMMITTEE ON THE SITUATION WITH REGARD TO THE IMPLEMENTATION OF THE DECLARATION ON THE GRANTING OF INDEPENDENCE TO COLONIAL COUNTRIES AND PEOPLES (GENERAL ASSEMBLY RESOLUTION 1654 (XVI)) (continued)

The PRESIDENT: As agreed by members of the Council at our 1699th meeting on 13 May 1993, the Council will now resume consideration of items 10 and 11, which we decided to consider jointly, namely: Attainment of self-government or independence by Trust Territories; and, Cooperation with the Special Committee on the Situation with regard to the Implementation of

(The President)

the Declaration on the Granting of Independence to Colonial Countries and Peoples.

Members will recall that at that meeting we had decided to take a decision today on these agenda items.

If there are no comments, may I suggest that the Council decide to draw the attention of the Security Council to the conclusions and recommendations adopted by the Trusteeship Council at its sixtieth session concerning the attainment, in accordance with the relevant provisions of the Charter, and in particular Article 83, of self-government or independence by the Trust Territory, and to the statements made by members of the Trusteeship Council on those questions.

If I hear no objection, it will be so decided.

It was so decided.

SUSPENSION OF THE SESSION

The PRESIDENT: In accordance with the procedure adopted at the Council's earlier sessions, we shall now recess and meet in a resumed session to consider the draft report of the Trusteeship Council to the Security Council and the report of the envisaged visiting mission to observe the plebiscite in Palau in late July.

Members will be informed of the precise date of the resumed session as soon as possible.

As members are aware, the session has not yet been completed and members will have a further opportunity to speak when the Council resumes in session to finalize its report to the Security Council. As has been our practice in previous years, I shall ask the Secretariat to prepare a draft of our report to the Security Council. When it is completed, I shall then distribute the

(The President)

report to members and intend to hold informal consultations to seek their views on the report before the resumption of the Council in formal session.

At this stage, I should like to thank all delegations for the very understanding and businesslike attitude that they have demonstrated throughout our meetings during this first part of the session. On behalf of the members of the Council, and certainly on my own behalf, I should like to thank the representatives of the specialized agencies who have attended our session.

I also want to thank very warmly, on your behalf, all members of the Secretariat, and in particular our Secretary, Mr. de Sousa, for his unfailing help and diligence in preparing our meetings. I want to thank you all very much.

In addition, my thanks go to the interpreters, the press officers, the conference officers, the verbatim reporters, the precis writers and the documents officers, all of whom have very efficiently discharged their work, which is so indispensable for the smooth functioning of the Council.

So thank you once again. We shall meet again later this year. Meanwhile, I declare the sixtieth session of the Trusteeship Council suspended.

The meeting rose at 11.25 a.m.